HOUSE JOURNAL

FORTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIRST DAY

Austin, Texas, Tuesday, January 8, 1935.

In accordance with the Constitu-tion and laws of the State of Texas, the members-elect of the House of Representatives of the Forty-fourth Legislature assembled this day in the Hall of the House of Representatives in the City of Austin; and at 12 o'clock meridian, Hon. W. W. Heath, Secretary of State, called the Honorable House to order.

The Rev. Virgil Fisher, pastor of the First Methodist Church of Austin, at the invitation of the Honorable Secretary of State, offered prayer.

TEMPORARY ORGANIZATION

The Honorable Secretary of State announced the appointment of the following temporary officers and em-

Chief Clerk, Louise Snow Phinney. Parliamentarian, Read Granberry. Chaplain, Rev. Virgil Fisher. Sergeant-at-Arms, Joe W. White.

Assistant Sergeant-at-Arms (floor), Mr. Cobb.

Assistant Sergeant-at-Arms (floor), C. E. Powell.

Assistant Sergeant-at-Arms (floor), T. H. Nolen.

Assistant Sergeant-at-Arms (gallery), Dean Nugent.

Assistant Sergeant-at-Arms (gallery), Raymond Fuhr.

Assistant Sergeant-at-Arms (gal-

lery), Henry Fotterman.
Reading Clerk, A. C. Dunn.
Journal Clerk, Gussie Evans.

Special Page to Journal Clerk, Keith Weisinger.

Bill Clerk, Ben King. Doorkeeper, E. R. Lindley. Page to Doorkeeper, John Smith.

Assistant Doorkeeper, G. A. Atkinson.

Assistant Doorkeeper for back door, William Stewart.

Special Page to back Doorkeeper. J. S. Estlack.

Page to Assistant Doorkeeper, Olin

Telegraph Clerk, J. D. Rogers.

Stenographers

Wanda Grizzard, Bertha Johnson, Hattie Mae Strong, Nona Byerly, Nylah Toms, Knoxie Thornton, Bettie Billings, Patricia B. Riddle, Isobel Gardner, Si Frankford, Grace Jones.

Temporary Pages

Henry Page Owsley, Henry Rogers, Clem Creft, Cecil Dudley, Warren Hughes, Tommy Roselle, Richard Bass, Leon Douglas, Ralph Wilson, Vernon Kerr, Allen Hamilton, Crim Croft, Ernest Elam, J. T. Patterson, John Holly, Charlie McIntre, H. B. Howard Wade Poole Gion Clayton Howard, Wade Poole, Gion Clayton, Woodrow Knight, Roy Grasty, Tod Adams, Earl Lassiter, R. G. Parker, Luther Bailey, Ronald Lively, George Stevenson, Edwin McKellar, James K. Moore, Bill Williamson, Rex Bingham, Junior Garwin, Lester Sieck, Henry Rogers, Jimmie Keltner, Bernard Keese, K. R. Meyer, Arnold Tomp-kins, John D. Wire, Robert Wilson, Jack Merrett, Bobbie Johnson, Wal-Bill Overstreet, lace Matthews, George Rowley, Walter Amelang, Jack Davis.

Temporary Supply Room Clerks, Thomas Burns, J. L. Walker.

Temporary Night Watchmen, B. B. Gill, Ray Lawrence.

Temporary Porters

George Hunt, Rufus Pope, Andrew Lasha, Sam Wheat, Clearance Johnson, Fred Wilkins, R. D. Gilmore, Henry Blair, A. L. Hunt, Louis Gilbert, John Rogerts.

Maid for Ladies' Rest Room, Magnolia Hudspeth.

CONCERNING CHIEF CLERK OF THE HOUSE

The Honorable Secretary of State announced that Louise Snow Phinney, heretofore named as Temporary Chief Clerk of the House, was unable to attend the session, on account of illness, and designated A. C. Dunn, Temporary Reading Clerk, to act as Temporary Chief Clerk of the House in the absence of Mrs. Phinney.

ROLL OF MEMBERS SHOWING DISTRICTS REPRESENTED

The Honorable Secretary of State directed the Clerk to call the roll of members-elect according to Representative Districts.

The roll was called and the following Member's answered to their names:

District No. 1—Jasper N. Reed, Texarkana.

District No. 2—A. Crossley, Linden. District No. 3—E. Harold Beck, Texarkana.

District No. 4-Otis T. Dunagan, Gilmer.

District No. 5-Robert H. Wood, Marshall.

District No. 6-Merritt H. Gibson, Longview.

District No. 7-Lon E. Alsup, Carthage.

District No. 8-R. M. Leath, Henderson.

District No. 9—Edwin Tillery, Nacogdoches.

District No. 10—Hugh Jones, Center.

District No. 11—W. W. (Cap) King, Bronson.

District No. 12-J. T. Roach, Luf-

District No. 13—Amos P. Scarborough, Jr., Jasper.

District No. 14—Alf Roark, Saratoga.

District No. 15—B. E. Quinn, Beaumont.

District No. 16—H. L. McKee, Port Arthur (Place No. 1); C. E. Nicholson, Port Neches (Place No. 2).

District No. 17—Mrs. Helen Moore, Texas City.

District No. 18—E. H. Thornton, Jr., Galveston.

District No. 19—George F. Howard, catur. Houston (Place No. 1); Roy Hofheinz, District No. Houston (Place No. 2); R. H. Holland, der, Lewisville.

Houston (Place No. 3); R. Emmett Morse, Houston (Place No. 4); Kenneth McCalla, Houston (Place No. 5).

District No. 20—George G. Roane, Rosenberg.

District No. 21—Emmett C. Hill, Angleton.

District No. 22—Fred Mauritz, Ganado.

District No. 23-J. J. Olsen, Yoa-kum.

District No. 24—R. A. Fuchs, Brenham.

District No. 25—Charles D. Rutta, Columbus.

District No. 26-George B. Butler, Bryan.

District No. 27-Nall Colson, Iola.

District No. 28—Carl Bergman, Corrigan.

District No. 30-Albert K. Daniel, Crockett.

District No. 31—W. W. Glass, Jacksonville.

District No. 32—Tom P. Cooper, Jr., Lindale.

District No. 33—Sidney Latham, Longview.

District No. 34—W. M. Craddock, Quitman.

District No. 35—Traylor Russell, Mt. Pleasant.

District No. 36—C. D. Bourne, Jr., Clarksville.

District No. 37—A. M. Aikin, Jr., Paris.

District No. 38-C. C. Canon, Honey Grove.

District No. 39—J. W. Hunt, Jr., Como.

District No. 40-G. C. Morris, Greenville.

District No. 41-W. W. Fitzwater, Bonham.

District No. 42—Jesse E. Roach, Commerce.

District No. 43—Byron England, McKinney.

District No. 44—J. H. Waggoner, Whitewright (Place No. 1); J. W. Adamson, Denison (Place No. 2).

District No. 45—Grover Burton, McKinney.

District No. 46—John A. Atchison, Gainesville.

District No. 47—Frank A. Wood, Nocona.

District No. 48—Herman Jones, Decatur.

District No. 49—Tom Bullock Hyder, Lewisville.

District No. 50—Jeff D. Stinson, Dallas (Place No. 1); W. O. Reed, (Place No. 4); Pat Jefferson, San Dallas (Place No. 2); Sarah T. Hughes, Dallas (Place No. 3); Fred Harris, Dallas (Place No. 4); James J. Collins, Jr., Dallas (Place No. 5).

District No. 51—Rawlins M. Colquitt, Dallas.

District No. 52—Harlee Morrison,

District No. 53—Wallace R. Broyles, Fruitvale.

District No. 54—Jap Lucas, Athens. District No. 55—Edgar S. Keefe, Frankston.

District No. 56-Gaston Palmer, Normangee.

District No. 57—Hugh B. Steward, Fairfield.

District No. 58—Joe Kelton Wells, Corsicana.

District No. 59—Dero D. Cowley, Hillsboro.

District No. 60—Robert W. Calvert, Hillsboro.

District No. 61—Ross Hardin, Prairie Hill.

District No. 62—W. E. Hodges, Marlin.

District No. 63—Hollis Frazer, Franklin.

District No. 64—George M. Newton, Cameron.

District No. 65—Jesse James, Cameron.

District No. 66—Gus Herzik, La Grange.

District No. 67—Conde R. Hoskins, Gonzales.

District No. 68—J. D. Young, Cuero.

District No. 69—Howard G. Hartzog, Port Lavaca.

District No. 70-Morris Roberts, Pettus.

District No. 71—W. E. Pope, Corpus Christi.

No. 72—Aug. District Celaya, (Absent.) Brownsville.

District No. 73—Homer L. Leonard, McAllen.

District No. 74—E. D. Dunlap, Kingsville.

District No. 75-Edw. H. Lange, Laredo.

District No. 76—Walter E. Jones, Jourdanton.

District No. 77—Joe W. Caldwell, Jr., Asherton.

District No. 78—Pat Dwyer, San Antonio (Place No. 1); J. Franklin Spears, San Antonio (Place No. 2); R. L. Reader, San Antonio (Place No. | Proctor.

3); P. E. Dickison, San Antonio Antonio (Place No. 5).

District No. 79—Verner M. Butler, Falls City.

District No. 80—F. E. Knetsch, Seguin.

District No. 81—Arthur C. Riddle, Lockhart (Place No. 1); Thomas J. Dunlap, San Marcos (Place No. 2).

District No. 82-John B. Patterson, Austin (Place No. 1); Jack Padgett, Austin (Place No. 2).

District No. 83—Harry N. Graves, Georgetown.

District No. 84—William H. Fox, Taylor.

District No. 85-Alfred Petsch, Fredericksburg.

District No. 86—Coke R. Stevenson, Junction.

District No. 87—Stanford Payne, Del Rio.

District No. 88—Clyde Bradford, Grandfalls.

District No. 89-H. P. Jackson, El Paso (Place No. 1); William E. Clayton, El Paso (Place No. 2).

District No. 90-Harold M. Hankamer, El Paso.

District No. 91-0. C. Fisher, San Angelo.

District No. 92—Harvey O. Jones, Winters.

District No. 93—W. H. Adkins, Brady.

District No. 94—Earl Huddleston, Oglesby.

District No. 95—William A. Shofner, Temple.

District No. 96—Raglin Eddy.

District No. 97—A. P. Cagle, Waco (Place No. 1); J. B. Ford, McGregor (Place No. 2).

District No. 98—Vernon Lemens, Rainbow.

District No. 99—E. E. Hunter, Cleburne.

District No. 100-O. C. Venable, Ennis (Place No. 1); H. R. Stovall, Waxahachie (Place No. 2).

District No. 101-J. W. Youngblood, Fort Worth (Place No. 1); J. C. Duvall, Fort Worth (Place No. 2); Joseph F. Greathouse, Fort Worth (Place No. 3); Clarence E. Farmer, Fort Worth (Place No. 4).

District No. 102—Lonnie Smith, Fort Worth.

District No. 103-John W. Fain, Weatherford.

District No. 104—R. A. Luker,

District No. 105-J. Manley Head, Granbury.

District No. 106-George A. Davisson, Jr., Eastland.

District No. 107—Cecil A. Lotief. Cross Plains.

District No. 108-J. Carroll McConnell. Palo Pinto.

District No. 109-R. C. Lanning, Jacksboro.

District No. 110—D. M. Harris, Archer City.

District No. 111—C. M. McFarland, Wichita Falls (Place No. 1); Charles H. Tennyson, Wichita Falls (Place No. 2).

District No. 112—Albert G. Walker, Vernon.

District No. 113—Dr. J. C. Davis, Rule.

District No. 114-George Moffett, Chillicothe.

District No. 115-J. F. Lindsey. Anson.

District No. 116-J. Bryan Bradbury, Abilene.

District No. 117—Howard C. Davison. Rotan.

District No. 118-Leonard Westfall, Aspermont.

District No. 119—J. Doyle Settle, Abernathy.

District No. 120-Arthur B. Tarwater, Plainview.

District No. 121—Bob Alexander, Childress.

District No. 122—Eugene Worley, Shamrock.

District No. 123—H. K. Stanfield, Amarillo.

District No. 124-B. L. Rogers, Farnsworth.

District No. 125—Courtney Gray, Brownwood.

District No. 126—R. H. Good, i Cooper.

District No. 127-J. V. Ash, Bastrop.

ROLL OF MEMBERS IN ALPHA-BETICAL ORDER

The Honorable Secretary of State directed the Clerk to call the roll of members-elect in alphabetical order.

The roll was called, and the following members were present:

Adamson Bergman Adkins Bourne Aikin Bradbury Alexander Bradford Alsup Broyles Ash Burton Atchison Butler of Brazos Beck Butler of Karnes Cagle Caldwell Calvert Canon Clayton Collins Colquitt Colson Cooper Cowley Craddock Crossley Daniel Davis Davison of Fisher Davisson of Eastland Dickison

Dunagan Dunlap of Hays Dunlap of Kleberg Newton

Duvall Dwyer England Fain Farmer Fisher Fitzwater Ford Fox Frazer Fuchs Gibson Glass Good Graves Gray

Greathouse Hankamer Hardin Harris of Archer Harris of Dallas Hartzog

Head Herzik Hill Hodges Hofheinz Holland Hoskins Howard Huddleston Hughes

Hunt Hunter Hyder Jackson James Jefferson Jones of Atascosa Jones of Falls

Jones of Runnels Jones of Shelby Jones of Wise Keefe King

Knetsch

Lange Lanning Latham Leath Lemens Leonard Lindsey Lotief Lucas Luker Mauritz McCalla McConnell McFarland McKee Moffett Moore Morris Morrison Morse

Nicholson Olsen Padgett Palmer Patterson Payne Petsch Pope Quinn Reader Reed of Bowie

Reed of Dallas Riddle

Roach of Angelina Roach of Hunt

Roane Roark Roberts Rogers Russell Rutta Scarborough Settle Shofner Smith Spears Stanfield

Stevenson Steward Stinson Stovall Tarwater Tennyson Thornton Tillery Venable Waggoner Walker Wells

Westfall Wood of Harrison Wood of Montague

Worley Young Youngblood A quorum was announced present.

OATH OF OFFICE ADMINIS-TERED

A. C. Dunn, Temporary Chief Clerk of the House, under the order and direction of the Honorable Secretary of State, administered the constitutional oath of office to the Representatives-elect, all of them present rising together and repeating the following oath, prescribed by the Constitution, as it was read to them:

"I,, do solemnly swear (or affirm) that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives of the Forty-Fourth Legislature, according to the best of my skill and ability, agreeable to the Constitution and laws of the United States and this State, and I do further solemnly swear (or affirm) that since the adoption of the Constitution of this State, I, being a citizen of this State, have not fought a duel with deadly weapons, within this State or out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, or aided, advised, or assisted any person thus offending. And I furthermore solemnly swear (or affirm) that I have not, directly or indirectly, paid, offered or promised to pay, contributed or promised to contribute, any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God."

REGARDING ELECTION OF SPEAKER

Mr. Beck offered the following resolution:

Be it resolved, That, pending the election of the Speaker, all persons other than members of the House, members of their families, temporary officers, and active press representatives be barred from the floor of the

The resolution was read second time, and was adopted.

ELECTION OF SPEAKER

The Honorable Secretary of State announced that the next business in votes. order is the election of Speaker of the House of Representatives of the the Chief Clerk of the House be in-

Forty-fourth Legislature, and stated

that nominations are now in order.

Hon. Walter E. Jones of Atascosa
County nominated Hon. Coke R. Stevenson of Kimble County.

Hon. Bob Alexander of Childress County nominated Hon. Robert W. Calvert of Hill County.

Hon. Hollis Frazer of Robertson County seconded the nomination of Hon. Coke R. Stevenson.

Hon. R. A. Luker of Comanche County seconded the nomination of Hon. Robert W. Calvert.

Hon. H. L. McKee of Jefferson County seconded the nomination of Hon. Coke R. Stevenson.

Hon. C. D. Bourne, Jr., of Red River County seconded the nomination of Hon. Robert W. Calvert.

Hon. J. Franklin Spears of Bexar County seconded the nomination of Hon. Coke R. Stevenson.

Hon. J. Carroll McConnell of Palo Pinto County seconded the nomination of Hon. Robert W. Calvert.

Hon. Sidney Latham of Gregg County seconded the nomination of Hon. Coke R. Stevenson.

Hon. Sarah T. Hughes of Dallas County seconded the nomination of Hon. Robert W. Calvert.

Mr. Morse offered the following resolution:

Resolved, That the Clerk call the roll, and as each member's name is called he shall walk to the Chief Clerk's desk and place his vote for Speaker in a box.

Resolved further, That the Secretary of State appoint six tellers, who shall count the votes, three to act as tallymen and three to inspect and call the ballots.

Resolved further, That the candidate for Speaker receiving a majority of the votes of the members present. shall be declared elected Speaker.

The resolution was read second time, and was adopted.

In accordance with the above action, the Honorable Secretary of State announced the appointment of the following tellers to take up and count the vote: Messrs. Morse, Jefferson, Stinson, McCalla, Lange, and Wells.

The vote being cast and counted resulted as follows:

Hon. Coke R. Stevenson received 80 votes.

Hon. Robert W. Calvert received 68

Hon. Robert W. Calvert moved that

structed to cast the entire vote of the House for Hon. Coke R. Stevenson for Speaker.

The motion prevailed.

A. C. Dunn, Temporary Chief Clerk of the House, accordingly cast the entire vote of the House for Hon. Coke R. Stevenson for Speaker of the House of Representatives of the Forty-fourth Legislature.

Hon. Coke R. Stevenson was then declared to be the duly elected Speaker of the House of Representatives of the Forty-fourth Legislature.

The Honorable Secretary of State announced the appointment of the following committee to escort the Speaker-elect to the Speaker's stand for the purpose of administering the constitutional oath of office to him: Messrs. Leonard, Hoskins, Colson, Beck, Hardin, and Payne.

The committee having performed their duty, Hon. Coke R. Stevenson. took the constitutional oath of office, which was administered by Hon. W. W. Heath, Secretary of State.

The Honorable Secretary of State then presented the gavel to Hon. Coke R. Stevenson, Speaker, and presented Hon. Homer Leonard of Hidalgo County.

Mr. Leonard, in turn, presented Speaker Stevenson, who addressed the

Mr. Ford asked unanimous consent of the House to have the remarks of Mr. Stevenson in addressing the House printed in the Journal.

There was no objection offered and it was so ordered.

RELATIVE TO THE SELECTION OF SEATS

Mr. Walker moved that the members, be requested at this time, to proceed to the selection of their seats.

The motion prevailed, and the members, accordingly, proceeded to the selection of their seats.

ADJOURNMENT

Mr. Head moved that the House adjourn until 2 o'clock p. m., tomorrow.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m., tomorrow.

Question first recurring on the motion of Mr. Quinn, it was lost.

Question then recurring on the motion of Mr. Head, it prevailed, and Gray

the House, accordingly, at 3:20 o'clock p. m., adjourned until 2 o'clock p. m., tomorrow.

SECOND DAY

(Wednesday, January 9, 1935)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker Greathouse Adamson Hankamer Adkins Hardin Aikin Harris of Archer Alexander Harris of Dallas Alsup Head Ash Herzik Atchison Hill Beck Hodges Hofheinz Bergman Holland Bourne Bradbury Hoskins Bradford Howard **Broyles** Huddleston Burton Hughes Butler of Brazos Hunt Butler of Karnes Hunter Jackson Cagle Caldwell James Calvert Jefferson Jones of Atascosa Canon Jones of Falls Clayton Jones of Runnels Collins Jones of Shelby Colquitt Jones of Wise Colson Cooper Keefe Cowley King Craddock Knetsch Crossley Lange Lanning Daniel Latham Davis Davisonof Fisher Leath Davisson Lemens of Eastland Leonard Dickison Lindsey Dunagan Lotief Dunlap of Hays Lucas Dunlap of Kleberg Luker Duvall Mauritz McCalla Dwyer McConnell England McFarland Fain McKee Farmer Fisher Moffett Fitzwater Moore Morris Fox Morrison Frazer

Morse

Olsen

Newton

Padgett

Palmer

Nicholson

Fuchs

Glass

Good

Graves

Gibson